

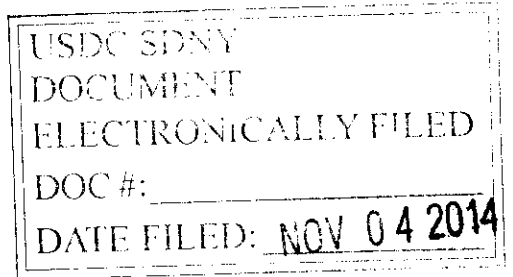
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA : SUPERSEDING
:
-v.- : INFORMATION
:
CARLOS VALLEJO, : S2 13 Cr. 811 (ALC)
:

Defendant.

- - - - - X

COUNT ONE



(Conspiracy to Burglarize Pharmacies)

The United States Attorney charges:

1. From at least in or about 2010, up to and including on or about October 30, 2013, in the Southern District of New York and elsewhere, CARLOS VALLEJO, the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to violate Section 2118(b) of Title 18, United States Code.

2. It was a part and an object of the conspiracy that CARLOS VALLEJO, the defendant, and others known and unknown, would and did, without authority, enter and attempt to enter and remain in the business premises and property of a person registered with the Drug Enforcement Administration under Section 302 of the Controlled Substances Act with the intent to steal materials and compounds containing quantities of controlled substances, the replacement cost of which to the

registrant was \$500 and more and the person who engaged and intended to engage in such entry and attempted such entry and remained and intended to remain in such premises and property would and did use a facility in interstate commerce to facilitate such entry and attempt and to facilitate remaining in such premises and property, in violation of Section 2118(b) of Title 18, United States Code.

Overt Acts

3. In furtherance of the conspiracy and to effect the illegal object thereof, CARLOS VALLEJO, the defendant, and others known and unknown, committed the following overt acts, among others, in the Southern District of New York and elsewhere:

a. On or about November 11, 2011, in the Eastern District of New York, VALLEJO participated in the burglary of pharmacy located at 111-21 Jamaica Avenue in Queens, during which tablets containing oxycodone and approximately \$15,526 in United States currency were stolen.

b. On or about November 18, 2011, in the Eastern District of New York, VALLEJO participated in the burglary of pharmacy located at 529 Beach 20th Street in Queens, during which more than 2,800 tablets containing oxycodone and approximately \$20,000 in United States currency were stolen.

c. On or about November 30, 2011, in the Eastern District of New York, VALLEJO participated in the burglary of pharmacy located at 174 Avenue O in Brooklyn, during which more than 300 tablets containing oxycodone were stolen, among other controlled substances.

d. On or about December 10, 2011, in the Eastern District of New York, VALLEJO participated in the burglary of pharmacy located at 490 Avenue P in Brooklyn, during which tablets containing controlled substances and approximately \$3,200 in United States currency were stolen.

e. On or about December 29, 2011, in the Eastern District of New York, VALLEJO participated in the burglary of pharmacy located at 147-26 Hillside Avenue in Queens, during which more than 900 tablets containing oxycodone and approximately \$200 in United States currency were stolen.

f. On or about January 27, 2012, in the Southern District of New York, VALLEJO participated in the burglary of pharmacy located at 57 East Kingsbridge Road in the Bronx, during which approximately \$17,000 in United States currency was stolen.

g. On or about February 6, 2012, in the Eastern District of New York, VALLEJO participated in the burglary of pharmacy located at 475 New Lots Avenue in Brooklyn, during which tablets containing controlled substances were stolen.

h. On or about April 7, 2012, in the Eastern District of New York, VALLEJO participated in the burglary of pharmacy located at 42-02B Greenpoint Avenue in Queens, during which more than 5,600 tablets containing oxycodone, among other controlled substances, were stolen.

i. On or about April 8, 2012, in the Eastern District of New York, VALLEJO participated in the burglary of pharmacy located at 65-08 Roosevelt Avenue in Queens, during which tablets containing oxycodone were stolen.

j. On or about April 14, 2012, in the Eastern District of New York, VALLEJO participated in the burglary of pharmacy located at 1811 Kings Highway in Brooklyn, during which more than 1,150 tablets containing oxycodone and approximately \$8,700 in United States currency were stolen.

k. On or about April 23, 2012, in the Eastern District of New York, VALLEJO participated in the burglary of pharmacy located at 495 Beach 20th Street in Queens, during which approximately 800 tablets containing oxycodone, among other controlled substances, and approximately \$23,243 in United States currency were stolen.

l. On or about April 27, 2012, in the Eastern District of New York, VALLEJO participated in the attempted burglary of pharmacy located at 118-29 Metropolitan Avenue in Queens.

m. On or about June 12, 2012, in the Eastern District of New York, VALLEJO participated in the burglary of pharmacy located at 75-97 Utopia Parkway in Queens, during which approximately \$50 in United States currency was stolen.

n. On or about June 15, 2012, in the Eastern District of New York, VALLEJO participated in the burglary of pharmacy located at 2276 65th Street in Brooklyn, during which approximately 1,920 tablets containing oxycodone, approximately 270 tablets containing oxymorphone, and approximately \$18,000 in United States currency were stolen.

o. On or about June 27, 2012, in the Eastern District of New York, VALLEJO participated in the burglary of pharmacy located at 1018 Coney Island Avenue in Brooklyn, during which more than 600 tablets containing oxycodone and approximately \$600 in United States currency were stolen.

p. On or about June 29, 2012, in the Eastern District of New York, VALLEJO participated in the burglary of pharmacy located at 116-08 Queens Boulevard in Queens, during which more than 2,500 tablets containing oxycodone, among other controlled substances, and approximately \$5,000 in United States currency were stolen.

q. On or about September 27, 2012, in the Eastern District of New York, VALLEJO participated in the burglary of pharmacy located at 138-38 86th Avenue in Queens, during which

more than 900 tablets containing oxycodone, among other controlled substances, and approximately \$10,000 in United States currency were stolen.

r. On or about October 10, 2012, in the Eastern District of New York, VALLEJO participated in the attempted burglary of pharmacy located at 1914 86th Street in Brooklyn.

(Title 18, United States Code, Section 2118(d).)

COUNT TWO

(Burglary of a Pharmacy - 42-02B Greenpoint Avenue, Queens)

The United States Attorney further charges:

4. On or about April 7, 2012, in the Eastern District of New York, CARLOS VALLEJO, the defendant, without authority, entered and remained in the business premises and property of a person registered with the Drug Enforcement Administration under Section 302 of the Controlled Substances Act, to wit, a pharmacy located at 42-02B Greenpoint Avenue in Queens, with the intent to steal materials and compounds containing a quantity of a controlled substance, the replacement cost of which to the registrant was \$500 and more, and the persons who engaged in such entry into such premises and property used a facility in interstate commerce to facilitate such entry.

(Title 18, United States Code, Sections 2118(b) & 2.)

FORFEITURE ALLEGATION

5. As a result of committing the conspiracy to burglarize pharmacies offense alleged in Count One and the burglary offense alleged in Count Two of this Superseding Information, CARLOS VALLEJO, the defendant, shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, any property, real or personal, which constitutes or is derived from proceeds traceable to such offenses, including but not limited to:

- a. \$124,249 in United States currency;
- b. a 2010 Mercedes-Benz ML63 AMG bearing VIN #4JGBB7HBXAA561332;
- c. a 2010 Mercedes-Benz S63 AMG bearing VIN #WDDNG7HB3AA310953;
- d. a 2005 Dodge Magnum RT bearing VIN #2D8GV582X5H649022; and
- e. a 2005 Honda Odyssey Touring bearing VIN #5FNRL38875B072204.

Substitute Assets Provision

6. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third party;

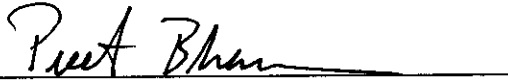
c. has been placed beyond the jurisdiction of the court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other described forfeitable property.

(Title 21, United States Code, Section 853.)


PREET BHARARA
UNITED STATES ATTORNEY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

CARLOS VALLEJO,

Defendant.

SUPERSEDING INFORMATION

S2 13 Cr. 811 (ALC)

(18 U.S.C. §§ 2118(b), 2118(d), and 2.)

PREET BHARARA
United States Attorney.